

Feb. 22. 2005 3:08PM Fay Sharpe

No. 2390 P. 1

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Date	February 22, 2005	Total Pages: 32	RECEIVED
To:	United States Patent and Trademark Office		CENTRAL FAX CENTER
Attn.:	Examiner Anne O. Holleran		FEB 22 2005
Facsimile No.:	703/872-9306		
From:	Ann M. Skerry, Esquire		
Re:	Our Ref.: CLWZ 2 00147		

COMMENTS

A copy of an Amendment being filed today is enclosed.

Please could you let us know when the Amendment is likely to be examined?

Thank you for your time and consideration.

The documents accompanying this facsimile transmission include information from the firm of Fay Sharpe Fagan Minnich & McKee, LLP that might be legally privileged and/or confidential. The information is intended for the use of only the individual or entity named on this cover sheet. If you are not the intended recipient, any disclosure, copying, or distribution of these documents, or the taking of any action based on the contents of this transmission, is prohibited. If you have received this transmission in error, these documents should be returned to this firm as soon as possible, and we ask that you notify us immediately by telephone so we can arrange for their return to us without cost to you.

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Attorney Docket No.: CLWZ 2 00147

AMENDMENT TRANSMITTAL LETTER

Ser. No.: 09/977,406	Filed: October 15, 2001	Examiner: Holleran, Anne L.
Art Unit: 1642	Title: PHARMACEUTICAL PREPARATIONS AND METHODS FOR INHIBITING TUMORS	

To the Commissioner for Patents:

Transmitted herewith is an *Amendment C* in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	40	Minus	183	0	X 18	\$0.00
Indep. Claims	5	Minus	5	0	X 88	0.00
TOTAL					=	\$0.00

- ☒ No additional fee is required.
☐ A check in the amount of \$176.00 is attached.
☐ Charge \$ to Deposit Account No. 06-0308.
☐ Applicants hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a ___ month extension of time to respond to the outstanding Office Action. Enclosed is a check in the amount of \$110.00 to cover the applicable extension of time fees.
☒ Applicants request any extensions of time that may be necessary and authorize the required fees be charged to Deposit Account No. 06-0308.
☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308.

Respectfully submitted,
 FAY, SHARPE, FAGAN,
 MINNICH & MCKEE, LLP

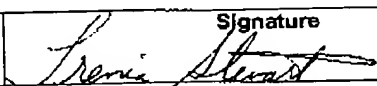


February 22, 2005

Ann M. Skerry, Reg. No. 45,655
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CERTIFICATE OF MAILING

- I certify that this Amendment Transmittal Letter and accompanying document(s) are being
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
☐ transmitted to Examiner Anne L. Holleran at facsimile number 703/309-2731 under 37 C.F.R. 1.8 on the date indicated below.
☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date February 22, 2005	Printed Name Trena Stewart

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service as First Class Mail service on February 22, 2005 and is addressed to the MAIL STOP AMENDMENT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Trena Stewart
Trena Stewart

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FEB 22 2005

PATENT

INVENTOR(S) : Seema GARDE, et al.
TITLE : PHARMACEUTICAL PREPARATIONS
AND METHODS FOR INHIBITING
TUMORS
APPLICATION NO. : 09/977,406
FILED : October 15, 2001
CONFIRMATION NO. : 4176
EXAMINER : Holleran, Anne L.
ART UNIT : 1642
LAST OFFICE ACTION : February 15, 2005
ATTORNEY DOCKET NO. : CLWZ 2 00147
Cleveland, OH 44114
February 22, 2005

AMENDMENT C

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action of February 15, 2005, indicating a non-compliant amendment, please substitute the following amendment for Amendment B, filed November 16, 2004, in which the status identifiers for claims 199 and 207 are provided.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 14 of this paper.

Remarks/Arguments begin on page 20 of this paper.